

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
MAY 18 2011
U.S. DISTRICT COURT
MASSACHUSETTS

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ATTACHMENT 1

PLAINTIFF'S NAME
Carol R. Daggs PRO SE

v.

CIVIL ACTION
NO. _____

Defendant's Name(s)
Anthony S. Bass & Comcast

COMPLAINT

Parties

1. The plaintiff, Carol R. Daggs is a resident of Springfield, Hampden County, Massachusetts and a citizen of the United States.
2. The defendant Anthony Bass is a resident of Springfield, Hampden County, Massachusetts and a citizen of the United States. Anthony Bass, CEO - City Beat Multi-Media Group
70 Cornell Street
Springfield, MA 01109
3. The defendant Comcast has a local Springfield, Massachusetts office, is incorporated and represented by their agent CT - CT Corporation System
155 Federal Street
Boston, MA 02110

Jurisdiction

4. United States District Court, District of Massachusetts has jurisdiction over this matter pursuant to 28 U.S.C. § 1332.

Facts

Please be advised of the series of events that has led me to submit this civil claim in the Springfield, Massachusetts US District Court. My name is Carol R. Daggs. I reside in Springfield, Massachusetts. As a performing artist, my set name is *Jazzage* and I solo on piano and voice. I'm a member of ASCAP, (American Society of Composers, Authors and Publishers) and hold copyright for all my original songs. I maintain a current catalog of titles with the Library of Congress and ASCAP. In October 2010, I was invited to present on the Saturday October 23, 2010 Organixsoul evening showcase held at the City Place Inn and Suites located at: 711 Dwight Street - Springfield, MA 01104 - (413) 733-3092. The Organixsoul producer Mr. Andrew Keaton explained that I would receive no compensation for my set

which opened the showcase, and included my three original songs: 1. *Actions Speak Louder Than Words*, 2. *Can You Dig It* and 3. *Love Is*, all of which I performed solo on piano and voice. In an effort to gain some exposure on the local Springfield, Massachusetts music scene, I decided to participate. I was never informed that the showcase was going to be recorded, and at the start of my set noticed a bald African-American gentleman with glasses recording from across the room. After my set, I introduced myself to the man whom I learned is Tony Bass. I explained that I'm a member of ASCAP and would like a courtesy copy of my set of songs. The following Monday, October 25, 2010 Mr. Bass (who recorded the showcase), delivered a DVD copy of my Organixsoul performance. He never requested permission to further use the DVD of my original copyrighted material/performance. I did not anticipate that the set would be broadcast on the program he produces: *City Beat Entertainment Magazine* via Public Access Comcast Cable Channel 12 in the Springfield, Massachusetts region.

Several weeks later, two of the children in my church youth choir arrived at rehearsal and explained that they had seen me on television. I couldn't imagine how, and they informed me that it was the City beat TV Wednesday night broadcast on the Comcast Springfield, MA Cable Public Access Television. I contacted both Mr. Andrew Keaton, Organixsoul producer and Mr. Tony Bass, City beat TV producer and explained that they had unlawfully recorded my October 2010 Organixsoul set and aired an unauthorized broadcast of the same set. Neither gentleman seemed concerned that they have blatantly infringed on my copyright as creative artist and author of the original songs that I presented free of charge at Organixsoul. I believe that the unauthorized recording and illegal broadcast of Organixsoul showcases is a regular practice of Mr. Bass.

I, Carol R. Daggs - plaintiff demand judgment against the defendants and seek damages, statutory and such other relief as this Court deems just; compensation for the illegal use of my original songs/mechanical and synchronization licenses, attorney, performance and related legal fees. I've also asked Mr. Bass to submit the appropriate cue sheets to ASCAP so that I may receive proper royalty credit for the three songs, the titles of which are listed in italics above.

Respectfully submitted,



Carol R. Daggs
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